



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
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April 4, 2019

**VIA ECF and UPS Overnight**

Hon. William H. Pauley III  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: SEC v. Archer, et al.;  
No. 16 Civ. 3505 (WHP) (OTW)

Dear Judge Pauley:

We represent the Plaintiff, Securities and Exchange Commission (the "Commission"), in this action. As we undertook to do in our last Status Report, dated March 4, 2019 (DE 229), the Commission respectfully submits this status report to provide an update on the various sentencing dates in the parallel criminal action, United States v. Galanis, 16 Cr. 371 (RA) (S.D.N.Y.) (the "Criminal Action"), as well as the recent submissions in the Government's appeal of the order granting Defendant Archer a new trial, United States v. Galanis (Archer), 18-3727 (2d Cir.) (the "Archer Appeal").

With respect to the sentencing schedule in the Criminal Action, Defendant Cooney's sentencing has been pushed back from April 4, 2019 to May 24, 2019. (Criminal Action DE 737.) While Defendant Morton's sentencing is still scheduled for April 11, 2019, we understand that Ms. Morton will file a new motion to withdraw her plea by the end of April, and that, as a result, Ms. Morton's sentencing will not go forward as scheduled. John Galanis was sentenced on March 8, 2019.

The Commission continues to try to reach Final Judgments on consent with respect to the Defendants who have been sentenced, and has reached agreements in principle with Defendants Hirst and Jason Galanis. The staff will present those agreements in principle to the Commission for its approval prior to June 14, 2019, the now-scheduled due dates for filing motions for summary judgment pursuant to the Court's endorsed Order, dated January 30, 2019 (DE 224). However, because the Criminal Action will not be fully resolved as to Morton or Archer by June 14, 2019, or as to Cooney in sufficient time to obtain Commission approval of either a settled Judgment on consent, or the amount of specific relief to seek by motion, the Commission respectfully requests that it be permitted to file its summary judgment motions on June 14, 2019.

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limited to those Defendants as to whom the Criminal Action has now been resolved, but who have not consented to Final Judgments by April 30, 2019.

With respect to the Archer Appeal, the Government filed its opening brief on March 27, 2019. (Archer Appeal DE 36.) Archer's response is due on June 26, 2019. (Id. DE 38.)

We will continue to provide status reports on the status of the Archer Appeal and the sentencing schedule every 30 days or on whatever different schedule the Court may set.

Respectfully submitted,



Nancy A. Brown

cc: All Defendants via e-mail or overnight mail